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Attorney for Plaintiff
Peter Austin-Small

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PETER AUSTIN-SMALL,
Plaintiff,

vs.

BRINKER INTERNATIONAL PAYROLL
COMPANY, L.P., and DOES 1 through 100,
inclusive,
Defendants.

CASE NO: 3:06-cv-6343 SI

**RULE 41 DISMISSAL OF PLAINTIFF'S
ACTION WITH PREJUDICE**

Plaintiff PETER AUSTIN-SMALL, by his attorney, and defendant BRINKER
INTERNATIONAL PAYROLL COMPANY, L.P., by its attorney, and pursuant to Rule 41(a) of the
Federal Rules of Civil Procedure, stipulate as follows:

1. Plaintiff and Defendant hereby stipulate to the dismissal of this action, with prejudice;
2. Each party shall bear his or its own attorneys' fees and costs;
3. This stipulation is entered into pursuant to a settlement entered into by the parties.

1 Dated: January 5, 2007

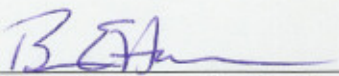
LITTLER MENDELSON, P.C.

2
3 By 
4 Brian T. McMillan

5 Attorneys for Defendant
6 BRINKER INTERNATIONAL PAYROLL
7 COMPANY, L.P.

8 Dated: January 11, 2007

LAW OFFICES OF BRIAN E. HAWES

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10 By 
11 Brian E. Hawes

12 Attorneys for Plaintiff
13 PETER AUSTIN-SMALL
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